Amendments to the Claims

Please amend Claims 1, 2, 3 and 10.

Please add new Claims 17-41.

Please cancel Claim 12.

The Claim Listing below will replace all prior versions of the claims in the application:

Claim Listing

1. (Currently Amended) A method for detecting the presence or absence of *Listeria monocytogenes* in a test sample, the method comprising the steps of:
   a) contacting a test sample with a peptide substrate specific for a protease that is unique to *Listeria monocytogenes*; and
   b) detecting cleavage of the peptide substrate or absence of cleavage of the peptide substrate,

   wherein cleavage of the peptide substrate is indicative of the presence of *Listeria monocytogenes* in the sample, and absence of cleavage of the substrate is indicative of the absence of *Listeria monocytogenes* in the test sample.

2. (Currently Amended) The method of claim 10, wherein the quenched label is selected from the group consisting of fluorescent labels and ~~colorimetric~~ chromagenic labels.

3. (Currently Amended) The method of claim 2 wherein the cleavage is detected using a colorimeter, ~~or~~ fluorimeter, or a UV lamp.

4. (Canceled)

5. (Withdrawn) A method of using broad spectrum fluorescent or colorimetric labeled peptides to recognize a bacterial species by detecting the conjugated peptide with a colorimeter or fluorimeter.

6. (Withdrawn) A device for capturing and releasing bacteria from solid or liquid extracts comprising protein encapsulated starch or Styrofoam.

7. (Withdrawn) A device for capturing and releasing bacteria from a sample, said device comprising a pellet and a layer of antibodies entrapped in gelatin surrounding said pellet.

8. (Withdrawn) A sensor for detection of a microbial pathogen in a sample, said sensor comprising packaging material having a first side proximal to said sample and having a second side; and having a detectably labeled substrate specific for a protease produced by said microbial pathogen attached to said first side.

9. (Withdrawn) A method for using an alpha-crystallin type protein comprising the steps of:
   a) expressing and purifying the recombinant alpha-crystallin type protein; and
   b) adding the alpha-crystallin type protein to a solid phase or a liquid phase assay containing a day labeled peptide in an amount sufficient to reduce proteolysis of said dye labeled peptide.

10. (Currently Amended) The method of claim 1 wherein the peptide substrate is labeled with a quenched label.

Claims 11 - 16 (Canceled)

17. (New) The method of Claim 1, wherein the peptide substrate is labeled.

18. (New) The method of Claim 17, wherein the label is fluorescent or chromagenic.

19. (New) The method of Claim 18, wherein the fluorescent label comprises a fluorophere and a quencher.

20. (New) The method of Claim 19, wherein if the fluorescent labeled peptide substrate is cleaved, a fluorescent signal is produced.

21. (New) The method of Claim 20, wherein the fluorescent signal is detected by a fluorimeter or by UV lamp.

22. (New) The method of Claim 18, wherein if the chromagenically labeled peptide substrate is cleaved, a visible colorimetric signal is produced.

23. (New) The method of Claim 18, wherein if the chomagenically labeled peptide substrate is cleaved, a signal is detected by a colorimeter.

24. (New) The method of Claim 1, wherein the protease is metalloprotease.

25. (New) The method of Claim 1, wherein the peptide substrate comprises SEQ ID NO: 1 or SEQ ID NO: 2.

26. (New) The method of Claim 1, wherein the test sample comprises a bacterial extract.

27. (New) The method of Claim 1, wherein the peptide substrate is attached to a surface.

28. (New) The method of Claim 27, wherein the surface is glass or polypropylene.

29. (New) A method for detecting the presence or absence of *Listeria monocytogenes* in a test sample, the method comprising the steps of:

a) contacting the test sample with a peptide substrate specific for a protease that is unique to *Listeria monocytogenes*, wherein the peptide substrate comprises an amino acid sequence selected from the group consisting of:
i) SEQ ID NO. 1; or
ii) SEQ ID NO. 2; and

b) detecting cleavage of the peptide substrate or absence of cleavage of the peptide substrate,

wherein cleavage of the peptide substrate is indicative of the presence of *Listeria monocytogenes* in the test sample, and absence of cleavage of the peptide substrate is indicative of the absence of *Listeria monocytogenes* in the test sample.

30. (New) The method of Claim 29, wherein the peptide substrate is labeled.

31. (New) The method of Claim 30, wherein the label is fluorescent or chromagenic.

32. (New) The method of Claim 31, wherein the fluorescent label comprises a fluorophere and a quencher.

33. (New) The method of Claim 32, wherein if the fluorescent labeled protease substrate is cleaved, a fluorescent signal is produced.

34. (New) The method of Claim 33, wherein the fluorescent signal is detected by a fluorimeter or by UV lamp.

35. (New) The method of Claim 31, wherein if the chromagenically labeled peptide substrate is cleaved, a visual colorimetric signal is produced.

36. (New) The method of Claim 31, wherein if the chromagenically labeled peptide substrate is cleaved, a colorimetric signal is detected by a colorimeter.

37. (New) The method of Claim 29, wherein the protease is metalloprotease.

38. (New) The method of Claim 29, wherein the peptide substrate comprises SEQ ID NO: 1 or SEQ ID NO: 2.

39. (New) The method of Claim 29, wherein the test sample comprises a bacterial extract.

40. (New) The method of Claim 29, wherein the labeled peptide substrate is attached to a surface.

41. (New) The method of Claim 40, wherein the surface is glass or polypropylene.